

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 791

Washington, D. C.

June 15, 1940

## CERTIFICATES ARE AVAILABLE FOR HANDICAPPED WORKERS AND LEARNERS

### Letter from Wage-Hour Division Indicates Scope and Extent of Exemptions

Many cannery have inquired of the Association as to the application of the Fair Labor Standards Act to handicapped or elderly workers whose earning capacity is impaired by age or physical deficiency, and also as to the application of the law to learners. In order to obtain an official statement on these questions, the Association addressed the following letter to Merle D. Vincent, director of the Hearings Branch of the Wage and Hour Division.

"Recently the National Canners Association has had a number of inquiries as to the availability to employees in the canning industry of certificates permitting the employment of a worker whose earning capacity is impaired by age or physical or mental deficiency or injury at a wage lower than the minimum wage provided in the Fair Labor Standards Act of 1938.

"We would very much appreciate advice from you, for distribution generally to the industry, as to the availability of such certificates for employees in the canning industry and the most expeditious way in which they may be obtained.

"We would also appreciate similar information in connection with employees who may be classed as learners."

Mr. Vincent promptly replied and the text of his answer is set forth below. Attention is called to the last paragraph of Mr. Vincent's letter indicating that, subject to the showing necessary to obtain certificates, there is no fixed limit to the number of learners or handicapped workers.

"This is in reply to your letter of June 13 in which you request information about the employment of handicapped workers and learners at subminimum wages under the Fair Labor Standards Act.

"Section 14 of the Fair Labor Standards Act authorizes the Administrator to issue Special Handicapped Workers Certificates for persons whose earning capacity is impaired by reason of age or physical or mental deficiency or injury. Application for such certificates must be made on official forms furnished by the Wage and Hour Division and signed jointly by the employer and handicapped employee. In all cases where the nature of the handicap is not clearly obvious the application must be accompanied by a medical certificate filled in and signed by a licensed physician not in the employ of the employer.

"For your information we are enclosing three copies of our Application for a Special Handicapped Worker's Certificate Form 524-1 and a copy of our Medical Certificate Form 524-4, together with a copy of our Regulations Applicable to the Employment of Handicapped Persons. Requests for application forms should be made directly to the Hearings Branch of the Wage and Hour Division or to the nearest regional office.

"Under Section 14 of the Fair Labor Standards Act, learners may be employed at less than the minimum wage provided in Section 6 of the Act upon the issuance of a

Special Learner Certificate. These may be issued only on approval of applications made by employers on forms furnished by the Wage and Hour Division. Each certificate covers the employment of learners in any one plant, and in making application the employer does not apply for a certificate covering a special person, nor does he list the names of the persons whom he desires to employ as learners.

"Approval of an application depends upon the employer showing that the occupations in which it is proposed to employ the learners are skilled occupations requiring an extended learning period, that experienced workers are not available for employment in those occupations, and that curtailment of opportunities for employment will result if the application is denied. If the learning period is shorter than four weeks, only exceptional circumstances could establish that the employment of learners at a wage lower than the

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## HEARING SET FOR JULY 1 ON SEASONAL EXEMPTION FOR CANNERS

### Wage-Hour Division to Consider Additional 14-Week Overtime Exemption

Colonel Fleming, administrator of the Wage and Hour Division, gave notice on Friday that a hearing would be held in Washington, July 1, 1940, on applications for the partial exemption from the maximum hour provisions of the Fair Labor Standards Act of the handling, packing, storing, preparing in their raw or natural state or canning of fresh fruits and vegetables as industries of a seasonal nature. The hearing will be for the purpose of receiving evidence to determine whether such industries are of a seasonal nature and, therefore, entitled to the exemption provided by Section 7(b) (3) of the wage and hour law. This section provides that industries found to be of a seasonal nature may employ workers up to 12 hours a day and 56 hours a week for a period of 14 weeks in the aggregate each year without paying overtime. According to a press statement issued by the Wage and Hour Division with the notice of hearing, this exemption, if found to be applicable to cannery of fresh fruits and vegetables, would be in addition to the total exemption from the hour provisions that is in effect under Section 7(c) of the Act.

The formal notice of the hearing issued by the Wage and Hour Division states that applications have been received from a number of parties for exemption from the maximum hours provisions of the Fair Labor Standards Act of 1938 of the handling, packing, storing, preparing in their raw or natural state or canning of perishable or seasonal fresh fruits or vegetables as industries of a seasonal nature, pursuant to Section 7(b) (3) of the Act and Part 526 as amended of the Regulations issued thereunder.

"NOW THEREFORE, notice is hereby given of a public hearing to be held at the Raleigh Hotel, Washington, D. C., to

commence at 10 o'clock a. m. on July 1, 1940, before Merle D. Vincent, an authorized representative of the Administrator, who shall take testimony, hear argument and determine:

"Whether the handling, packing, storing, preparing in their raw or natural state or canning of perishable or seasonal fresh fruits and vegetables are industries of a seasonal nature within the meaning of Section 7(b)(3) of the Act and Part 526 as amended of the Regulations issued thereunder.

"Any person desiring to appear at the aforesaid hearing may appear in his own behalf or in behalf of any other person, provided that he shall file with the Administrator, at his office at Washington, D. C., prior to noon on June 29, 1940, notice of intention to appear which shall contain the following information:

- "(1) The name and address of the person appearing.
- "(2) If he is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
- "(3) Whether he is appearing in support of or in opposition to the application for exemption.
- "(4) The approximate length of time his presentation will consume.
- "(5) A description of the specific operations with respect to which the appearance is made.

"Evidence will be received on all relevant factors and should include the following:

- "(a) Length of operating season in weeks for each commodity for past several seasons.
- "(b) Length of operating season in weeks in plants operating on more than one commodity for past several seasons.
- "(c) Proportion of total volume of all commodities handled, packed, stored, prepared in their raw or natural state or canned during the fourteen week period or periods of maximum operation during past several seasons."

The text of the press statement that accompanied the release of the notice of hearing reads as follows:

"A hearing on applications for the partial exemption from the hours provision of the Fair Labor Standards Act, of the handling, packing, storing, preparing in their raw or natural state or canning of fresh fruits and vegetables as industries of a seasonal nature was set today (June 14, 1940), by Col. Philip B. Fleming, administrator of the Wage and Hour Division, for 10:00 A. M., July 1, at the Hotel Raleigh, before Merle D. Vincent, director of the Hearings Branch of the Division.

"The hearing was set on the applications of the West Virginia Horticultural Society of Martinsburg, West Virginia, the Agricultural Producers Labor Committee, and the Northwest Cannery Association, Portland, Oregon, and others. Colonel Fleming also had before him reports gathered from wage and hour officials in the field, who, in making a field survey of 'area of production' problems, had reported to him that the seasonal problem was a closely related one. These informal conferences at the actual scene of operations, together with formal hearings on the question of re-defining 'area of production' for the fresh fruit and vegetable industries led to the Colonel's announcement on June 3, that the Division would entertain applications for the exemption, as seasonal industries of the packing, canning, etc. of fresh fruits and vegetables.

"These industries already have a 14 workweeks overtime exemption, under Section 7(c) of the Act. The hearing will be to determine whether the industries are entitled to another exemption under Section 7(b)(3). This exemption would give these employers, in addition to the 14 workweeks exemption they now enjoy, a second 14 workweeks exemption with freedom of overtime during the latter period up to 12 hours per day and 56 hours per week. This does not affect the requirement to pay at least 30 cents an hour.

"The notice of the hearing (*Federal Register*, June 14, 1940) stated that those desiring to be heard must so advise the Administrator by 12:00 noon, June 29, giving the name of the organization they represent, whether they are in favor of or opposed to the proposed exemption, and how long their presentation will take.

"Information will be sought at the hearing upon the following facts, among others: (1) length of operating season in weeks for each commodity for past several seasons; (2) length of operating season in weeks, in plants operating on more than one commodity for past several seasons and (3) proportion of total volume of all commodities handled, packed, stored or canned during 14-week period or periods of maximum operation during past several seasons."

#### **CERTIFICATES ARE AVAILABLE FOR HANDICAPPED WORKERS AND LEARNERS** (Continued from page 6229)

statutory minimum is necessary to prevent curtailment of opportunities for employment.

"For your information and guidance, we are enclosing a general application form, a copy of the notice form to be posted by the employer at the time of filing the application, as well as a copy of the regulations applicable to the employment of learners.

"There is no fixed limit on the number of learners and of handicapped workers. Our experience shows that the number of genuinely handicapped workers in a plant is small and certificates are promptly issued for all genuinely handicapped persons for whom application is made. Our experience also shows that a certificate permitting a small percentage of the total number of plant employees will adequately cover the need for learners to replace normal turnover, where the occupation requires an extended learning period and where there are no skilled workers available, as explained above. In cases of plant expansion or of a new plant the number of learners permitted will depend on the particular circumstances of the case."

Cannery desiring to secure copies of the regulations or of the application forms may apply to any regional office of the Wage and Hour Division or may secure such materials by communicating with the Association.

#### **Certain Washington Cherry Packers Given Temporary Wage Exemptions for Learners**

Certain specified firms engaged in packing cherries in the State of Washington have been issued certificates by the Wage and Hour Division authorizing the employment of learners at wages lower than the minimum required by the Fair Labor Standards Act. The certificates, which became effective June 10 and will expire on July 9, permit the employment of learners at a wage rate of 22½ cents an hour for a learning period not to exceed 4 weeks.

## "WAR" CLAUSE FOR CONTRACTS

### Suggested Clause Drawn to Cover All Contingencies That Might Arise

During recent weeks the Association has received a number of inquiries from its members concerning possible clauses that could be added to future sales contracts to protect the canner in the event war, a national emergency, or the current rearmament program should prevent the canner from fulfilling all of his future contract commitments.

The problems that the canning industry will face, should the United States become a belligerent or should a national emergency arise as a result of the hostilities abroad, have already been considered and discussed by the Administrative Council and by the Board of Directors. At the request of the Administrative Council, the Association's counsel submitted a suggested contract clause at the January meeting in Chicago. While at that time no immediate action on the clause was deemed necessary, the Board of Directors suggested that the clause be published for the information of the industry. This was done in the INFORMATION LETTER of February 17, 1940.

As was pointed out in the discussion published in February, there are a number of contingencies that might arise in the event of a national emergency, which would prevent canners from fulfilling their future contract commitments. In the first place, the President would have the power to commandeer or requisition a canner's entire production, or possibly even to take over and operate canning plants.

In addition, if the practice of the last war is followed, the administration might make "requests" or "friendly commandeers" of canners for the delivery to the government of a portion of their production. While compliance with these "friendly commandeers" might not be legally obligatory, canners undoubtedly would comply, and it is not at all clear that such voluntary compliance legally relieves the canner of his obligation to fulfill his other contract commitments.

Finally, government regulations or restrictions applicable to other industries, or the large government purchases of various commodities, might result in the scarcity or the increase in the prices of raw materials, again preventing the canner from fulfilling his contracts.

To meet these possibilities, the following clause was suggested by the Association's counsel:

"If, as the result of any war in which the United States becomes a belligerent or during any national emergency proclaimed by Congress or the President arising out of any foreign wars, (1) Seller's factory or factories or all or any portion of Seller's production are commandeered or requisitioned by the Federal Government; or (2) Seller's production or sales are regulated or restricted by the Federal Government; or (3) Seller, in compliance (whether such compliance is mandatory or not) with any government request, order, contract, allotment, notice, or 'friendly commander' received in writing after the date of this contract, delivers to or reserves for the government all or any portion of Seller's production; or (4) Seller with reasonable effort and at reasonable cost is unable to obtain the raw materials, supplies, fuel, labor, or transportation necessary to enable it to fulfill its contracts; and as a result, Seller is unable to fulfill all of its contract commitments to all purchasers of any article covered by this contract, Seller shall pro-rate

among all such purchasers its available supply, if any, of such article, and a delivery of Buyer's pro-rata share, if any, shall constitute a full performance of this contract. If under the conditions specified there is no available supply to be pro-rated, Seller shall not be liable for failure to deliver."

This clause seeks to cover all contingencies that might arise. It relates not only to formal government commandeers or regulation of production, but also to the so-called "friendly commandeers", and to the possibility that there may be a scarcity of raw materials. It is believed that this contract clause will afford canners adequate protection.

This clause has not been approved by either the Board of Directors of the National Canners Association or the Joint Conference Committee of Canners and Distributors, nor has any recommendation as to its use been made by either of these organizations. It is suggested that canners refer again to the more extended discussion of this problem that appeared in the INFORMATION LETTER of February 17, 1940.

## HOUSE VOTES TAX BILL

### Corporate and Individual Income Taxes Increased—Social Security and Sugar Taxes Unchanged

The House passed the so-called billion-dollar emergency tax bill on June 11 to finance national defense appropriations for a five-year period. The following is a summary of the principal changes in the tax structure made by this proposal, which is expected to be acted upon shortly by the Senate.

The rate of tax on domestic corporations is increased by 1 per cent, and the new taxes will be

|   |              |
|---|--------------|
| Not in excess of \$5,000 .....                            | 13½ per cent |
| In excess of \$5,000 and not in excess of \$20,000 .....  | 15           |
| In excess of \$20,000 and not in excess of \$25,000 ..... | 17           |
| In excess of \$25,000 .....                               | 19           |

These increases are permanent, that is, their duration is not limited in the bill.

Excess profits taxes are increased by 10 per cent, as is the capital stock tax.

A number of changes are made in individual income taxes. The personal exemption is lowered to \$800 for unmarried taxpayers and to \$2,000 for heads of families. Income tax rates are increased generally by 10 per cent.

Where the tax under existing law would be in excess of 50 per cent of the net income, the increase is cushioned to apply to the amount of income remaining after the existing tax is deducted. This occurs only on very large incomes.

In general the surtaxes on net incomes between \$6,000 and \$50,000 have been materially increased. For example, an unmarried taxpayer with a \$5,000 net income under the present law pays 1.6 per cent of his income in taxes, and under the new law will pay 2.2 per cent; on an \$8,000 net income the increase is from 3.10 per cent to 3.96 per cent; on a \$10,000 net income the increase is from 4.15 per cent to 5.28 per cent; and on a \$15,000 income the increase is from 6.16 per cent to 8.39 per cent.

Estate taxes and gift taxes are likewise increased by 10 per cent. Taxes on tobacco and tobacco products are increased approximately 16½ per cent; taxes on distilled



spirits approximately 33⅓ per cent; and a variety of so-called nuisance taxes from 10 per cent to 33⅓ per cent. The existing taxes on matches, filled cheese, narcotics, sugar, bituminous coal and certain types of firearms and excise taxes on imported coal, lumber, copper, petroleum, and certain vegetable oils are not increased both because little additional revenue would be yielded, and because some of these are controlled by reciprocal trade agreements. Social security taxes are not increased. Taxes on communication facilities (telephone, telegraph, etc.) are likewise not increased because of administrative difficulties.

The Committee Report estimates that the new additional revenues will amount to \$1,004,000,000.

### Seasonal Vegetables Added to Stamp Plan Surplus List for Different Areas

The Department of Agriculture announced June 7 that fresh vegetables, designated by regions or areas and for the periods when they are in "seasonal surplus", will be added this summer to the list of commodities that can be obtained with blue surplus stamps where the food order stamp plan is in operation.

The first seasonal vegetable surpluses designated under the plan will be effective for the period June 10 to June 30. All of the commodities that have been on the current surplus list will be continued for this period except apples, pears, and grapefruit, which are no longer considered in surplus. Beginning June 10, the complete list of surplus foods, except for the newly designated seasonal surplus vegetables, is: butter, raisins, rice, pork, pork lard, corn meal, shell eggs, dried prunes, fresh oranges, hominy grits, dry edible beans, wheat flour, and whole wheat (graham) flour. In addition, seasonal surplus vegetables will be added to the list, by areas as follows:

1. Peas and cabbage in the stamp plan areas of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, Virginia, and the District of Columbia.

2. Peas and spinach in the stamp plan areas of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

3. Cabbage and carrots in the stamp plan areas of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

4. Snap beans, beets, carrots, cabbage, and spinach in the stamp plan areas of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

During the season of vegetable surpluses, designations under the plan will be reexamined periodically. Changes in the designations will be made in line with seasonal changes in supply and marketing conditions.

As a further means of coping with the problem of seasonal surplus vegetables, the Federal Surplus Commodities Corporation plans to continue direct purchases of surplus vegetables under the truck crops purchase program, which has been in effect during the last two years. The vegetables purchased under this program are donated to State relief agencies for direct distribution to needy people.

### Limited Number of Copies of Book Telling of "Historic Tinned Foods" Available to Members

The International Tin Research and Development Council, composed of delegates appointed by the governments of the principal tin-producing countries, has made available to the National Canners Association 400 copies of the Council's book "Historic Tinned Foods". Distribution from this limited supply will be made to members of the Association in the order that requests are received.

The book is written by several British scientists and tells of the specimens of early canned foods now in possession of British institutions. Most of these foods came from lots prepared for and used by English military forces or by British exploratory expeditions. Among these are the "cake" soups used by the British Navy in 1815 in the West Indies; canned meats and soups used by Captain Parry in 1819 on his first voyage of discovery of the Northwest Passage; and canned veal and carrots used in the discovery voyage to the Sandwich Islands in 1826.

Chemical and bacteriological investigations were carried on relative to these historic cans of food, and an account of these investigations is given in the book. The metal containers were also investigated thoroughly.

Inasmuch as only 400 copies have been sent to the Association for distribution, it will be possible at first to supply each member firm making a request for the book with only one copy. Requests from interested individuals in allied industries will be received and filed so that if additional copies are available they will be sent to these individuals in the order that their requests were received.

### Employees Must Be Paid for Short Rest Periods

Employees coming under the provisions of the Fair Labor Standards Act must be paid for short rest periods, according to an announcement by Col. Philip B. Fleming, administrator of the Wage and Hour Division, issued on June 10, 1940.

A "short" rest period, as construed in instructions sent to all field representatives of the Division by Colonel Fleming, will include periods up to and including 20 minutes. When rest periods customarily taken by employees are longer, final decision on whether or not the employee will be paid for it will rest with the regional director.

The following considerations will guide the regional director in making his decision: the freedom of the employee to leave the premises and go where he pleases during the intermission; the duration of the intermission—whether sufficient to permit the employee reasonable freedom of action and a real opportunity for relaxation; whether the intermission is clearly not an attempt to evade or circumvent the provisions of the Fair Labor Standards Act. In all cases where the regional director decides that an intermission shall not be counted as "hours worked", he has been instructed to report the results of his investigation and the reasons for his action to the administrator.

For enforcement purposes, computation of hours worked under the new rule generally will apply only since April 1, 1940. Where time spent in rest periods prior to that date has been deducted from hours worked, ordinarily, the deductions will be allowed to stand, Colonel Fleming said.

### Effect of Italy's Entrance into War on British Supplies of Certain Foods Analyzed by Bureau

Citrus fruits, dried fruits, canned tomatoes, and onions are seriously affected from the viewpoint of British supplies by Italy's entrance into the war, according to the Bureau of Foreign and Domestic Commerce. Consequently, the United States becomes more important to the United Kingdom as the source of supply for these foods. A short analysis by the Bureau follows:

"Average imports of fresh citrus fruits into the United Kingdom during 1937 and 1938 totaled 1,578,000,000 pounds, of which Mediterranean countries—notably Italy and Palestine—supplied three-fifths, or 971,000,000 pounds. Mediterranean countries supplied 78,000,000 pounds of the 153,000,000 pound imports of fresh grapefruit, 787,000,000 of the 1,301,000,000 pounds of oranges imported, and 106,000,000 of the 124,000,000 pounds of lemons, limes, and other fresh citrus fruit imports.

"Of British average 1937-38 imports of 145,000 short tons of raisins and currents, 59,000 tons came from Mediterranean countries. More significant than the above figures had been the British undertaking to purchase from Turkey during each of the next three years some 40,000 to 50,000 tons of dried fruits, which in 1937 and 1938 had gone largely to Germany. It had been large British purchases from last year's Turkish crops plus the proposed future purchases, on top of normal Empire supplies, which had influenced England to sharply restrict imports from the United States.

"The United Kingdom imported an average of 3,925,000 cases (24 No. 2's) of canned tomato products during 1937 and 1938, of which 2,611,000 came from Italy. Canada, Hungary, and to a lesser extent the United States, were the other main suppliers.

"During 1937 and 1938 an average of 202,000,000 pounds of onions, or about two-fifths of total British imports, came from Mediterranean countries, largely from Egypt. Disruption of this trade follows that of another two-fifths of British total onion imports formerly supplied by the Netherlands. Average imports of onions into the United Kingdom during 1937-38 amounted to 525,000,000 pounds.

"Earlier war developments, principally the invasions of Denmark, the Netherlands, and Belgium, had cut England off from sources which normally supplied two-thirds of her canned milk imports, one-third of her starch imports, nearly one-half of her butter and cured pork imports, one-fourth of her dried vegetable imports, a little less than one-third of her fresh vegetable imports, and more than three-fourths of her imports of eggs in the shell."

### Cuban Exports of Fruits and Vegetables Increase

Cuba has just concluded her most successful season in the export of fresh vegetables to the United States, due to the damage to such crops in Florida, Texas and other States, resulting from the cold weather in January and February, according to the American consulate general at Habana. Many Cuban vegetable growers and exporters showed the greatest profits in their history.

Pineapples, which usually constitute the principal fruit export from Cuba, are delayed this year owing to a late season, and to the breakdown of the sea train between Habana and Port Everglades, Florida. Exports of papayas have expanded tremendously, due to the development of an American taste for this fruit and to the reported loss of this year's early papaya crop in Florida.

### FOOD LAW OPINIONS

#### Excerpts from Letters on Labeling Matters by Food and Drug Administration

Excerpts from recent letters of the Food and Drug Administration to canners, containing opinions on various labeling matters, have been obtained by the Association and are reproduced below. These particular opinions refer to the use of the word "fresh" on labels of canned foods; use of term "liquid sugar," as designation for partially inverted sugar sirup; and labeling of peeled tomatoes packed in puree. The excerpts follow:

*Use of word "fresh" on labels of canned foods undesirable.*—"In view of the provisions of the Act which class labeling as constituting misbranding if false or misleading in any particular, it is our feeling that the designation 'fresh tomato juice' should be avoided on the ordinary canned article."

*Term "liquid sugar" inappropriate as designation for partially inverted sugar sirup.*—"In reply to an inquiry the Food and Drug Administration advised that they did not believe the term "liquid sugar" is a suitable one for designating a partially inverted sugar sirup and that such name is likely to mislead consumers, inasmuch as the ordinary consumer of sugar and related products would not be advised by the name that such a product contained from 20 to 30 per cent water and that in most instances the sugar present had not been refined to the same extent as ordinary granulated sugar.

*Labeling of Italian style peeled tomatoes with tomato puree as packing medium.*—"If the article is canned peeled tomatoes corresponding with the definition for canned tomatoes already announced, and the packing medium is puree corresponding with the definition for that article, if the fill of container corresponds to that specified for canned tomatoes, and if the article as a whole distinctly differs in appearance and characteristics from canned tomatoes, we believe a label 'Italian style peeled tomatoes and tomato puree' with the words 'tomato puree', given a degree of prominence essentially equal to that given to the word 'tomatoes', will meet the requirements of the statute."

### Cost Records of Tomato Growers in Indiana

Records of costs, returns and practices in producing tomatoes under contract, kept by a number of tomato growers in two counties in northwestern Indiana, have been incorporated in a new bulletin just issued by the Purdue Experiment Station at Lafayette, Indiana, entitled "Economic Considerations in Growing Canning Factory Tomatoes in Northwestern Indiana." The purpose of these records was to give information helpful to farmers in this and similar areas in deciding whether to grow tomatoes, how much to grow, and what practices to follow.

A number of factors affecting profits in tomato production are discussed in this publication, including soils, size of farms and tomato fields, effect of previous crop, varieties, diseases, fertilizers, seedbed preparation, time and method of setting plants, and cultivation. Some of the aspects of farm organization are also included, including labor and power requirements for producing tomatoes. The Raw Products Bureau will be glad to supply copies of this bulletin to interested members upon request.

## PEA CROP CONDITION REPORT FOR WEEK ENDING JUNE 13

Heavy rains in the Mid-West have improved conditions for the pea crop, particularly in Wisconsin, according to reports received by the Association's Division of Statistics. Some sections, however, still need rain. Early plantings now being harvested in Washington and Oregon show disappointing yields due to hot weather. Yields in Maryland, particularly on the Eastern Shore, have been above average.

**MAINE**—Cool, rainy weather during week has aided germination. Peas coming up show excellent stand. Day temperatures very warm; 25 hours above 75 degrees.

**NEW YORK I**—Both Early and Late Sweets began blooming this week. No aphid infestation as yet. Heavy rains during week cause some damage. Root rot started in some fields, probably about 5 per cent damage.

**NEW YORK II**—Stand of Alaskas 95 per cent, Early Sweets 80 to 90 per cent, and Late Sweets' reports range from 70 to 90 per cent. Vines showing good growth, except some yellowing on Early Sweets. Slight aphid infestation in some sections. Alaskas and Early Sweets began blooming June 5 to June 7; about a week late.

**NEW YORK III**—Stands in this district are reported to be about 90 per cent for all varieties with growth excellent. Most canners report some aphid infestation but not serious. First bloom Alaskas June 3, Early Sweets June 5. Three hot days during week above 75 degrees. This was followed by showers and cooler weather. Some water damage reported.

**NEW YORK IV**—Stands in this district range from about 90 per cent for Alaskas down to 80 for Late Sweets. Growth has been favorable. Some slight aphid infestation. First blooms on Alaskas and Early Sweets appeared June 7. Excessive rainfall has caused some water damage.

**MIDDLE-ATLANTIC I**—Packing completed with yields ranging from 80 to 135 cases with average nearer the latter figure.

**MIDDLE-ATLANTIC II**—Packing of Alaskas will probably be completed within a few days. Yields in this district have been ranging from 70 to 160 cases per acre, the latter for only a small acreage, however. The lower yield report came from early cuttings whereas the higher yields are reported for the later fields harvested. Reporters' estimates of average yields for this district vary but all estimates are somewhat above 100 cases.

**MIDDLE-ATLANTIC III**—Packing is in full swing in the southern part of this district with yields ranging from 70 to 80. In Pennsylvania, packing will start on the 14th or 15th. Reporters estimate yields of 100 cases per acre.

**OHIO**—Growth of Alaskas heavy and set of pods very good. Late Sweets growing very rapidly. Expect to start packing Alaskas in the northern part June 18 to 20. Heavy rains have damaged some Sweet acreage, probably about 5 per cent.

**INDIANA**—The Alaska pack started in the southern part of the district on June 8. First few days of packing gave an average yield of 43.5 cases per acre. Later cuttings, however, expected to give larger yields. Temperatures ranging from 86 to 94 degrees during the week caused some damage.

**ILLINOIS**—Alaskas show very good set of pod with favorable fill. Yields, however, expected to be from 10 to 20 per cent under last year. Some aphid infestation but not heavy. Late Sweets were in full bloom on June 7. Early Sweets in northern part of the State began blooming on June 8. Alaskas in the northern part show some damage from wilting

due to extreme heat and lack of moisture. Set of pods is reported short in that section also due to hot, dry weather.

**MICHIGAN**—Alaskas and Early Sweets began blooming on June 4 and 5. Cool, rainy weather has been favorable for excellent growth.

**WISCONSIN I**—Growth of vines of all varieties very good. No aphid infestation. Alaskas in full bloom June 1. Set of pod and fill about average. Reporters estimate probable yield of 75 cases per acre.

**WISCONSIN II**—Growth of vines heavy for most sections of this district. Some sections report stand of Early Sweets a bit short. Some root rot is showing up but cannot estimate extent of damage. Very heavy rainfall on June 7 caused some water damage. Fond du Lac and Winnebago counties have the start of very heavy aphid infestation. Commenced dusting June 10. This infestation is on Alaska peas in full bloom. Dodge and Columbia counties are fairly free of aphid to date but expect heavy infestation later. Two of six reporters from this district estimate 75 cases per acre for first plantings of Alaskas.

**WISCONSIN III**—Growth of Alaskas favorable. First bloom June 4 to 6. Growth of Early and Late Sweets ranges from fair to average. Some Late Sweets looking generally poor. Bunching of Alaska crop for harvest is becoming more apparent. Some fields of Late Sweets show heavy infestation. Heavy rains on June 7 and 8 caused some water damage.

**WISCONSIN IV**—Stands are very good in this district with growth of vines ranging from medium to very good. One out of three reporters in this district reports quite heavy aphid infestation in Alaskas. Expects to be dusting by the end of the week. Alaskas began blooming June 6 to 8. Over six inches of rain has fallen in this district since the first of June, causing some damage in low fields. Color of most vines, however, very good.

**WISCONSIN V**—Temperature averaged about 63 degrees in this district with rainfall of 2.37 inches. Growing conditions are very good, vines are good color, aphid slight, and pod set is above average. Will start canning about June 17.

**MINNESOTA**—Growth of vines about normal but some yellowing is showing in low areas due to excessive rain during the week (4.25 inches). Root rot causing some damage on Alaskas. Only slight aphid infestation reported. Alaskas in full bloom on June 5. Set of pods below average with fill only fair. Yields of Alaskas estimated at about 75 cases and Late Sweets at 90 cases.

**IOWA**—Early part of the week was hot in this district with latter part cool. Moisture is needed. Alaska pack is just beginning with yields estimated at 75 cases per acre. Growth of Late Sweets about average with slight aphid infestation. First bloom appeared June 3.

**COLORADO**—Rain is needed badly in this district. Dry weather has damaged Alaskas. Estimate of yield probably not over 55 cases per acre. First bloom Early Sweets appeared June 1, Late Sweets June 6.

**UTAH**—All varieties of peas show good condition but vine growth is short for Early Sweets. Weather has cooled off enough to be ideal for growth and may prevent bunching. Scattered showers have kept up moisture content.

**WYOMING**—Growth of Late Sweets very good with no aphid infestation. First bloom June 10.

**WASHINGTON-OREGON I**—General condition from 85 to 100 per cent of normal with a few fields averaging about 75. Low acreage showing lack of moisture, forcing bloom on short vines. Temperatures have been high, reaching 96 degrees on a few days. Hail storm on June 7 damaged some



fields but extent of damage not known. Begin packing from low elevation acreage on June 10. Yields from pack of June 11 and 12 lower than expected. Hot weather has apparently damaged early plantings. If hot weather continues, expect about 50 per cent of crop on these early seeded fields. Aphid infestation is still slight. Dusting for weevil is giving good results to date, with about ten days or two weeks of control work yet. Rain is badly needed for late plantings.

**WASHINGTON-OREGON II**—First bloom Early Sweets June 5; full bloom June 10. Temperature has been cool but rain is needed. Yield of Early Sweets estimated at about 95 cases with Late Sweets 105. Some fields of Late Sweets are getting weedy.

**PUGET SOUND**—Stand of Early Sweets 100 per cent. Late Sweets 95. Growth very good. Slight aphid infestation in Early Sweets but none noticed in Late Sweets. Early Sweets in full bloom on June 8. There is plenty of moisture in this district and warm weather has promoted fast growth.

The following table shows temperature and rainfall data for the weeks ending June 11, 1939 and 1940:

| Reporting District        | Temperature           |                 | Rainfall       |                |
|---------------------------|-----------------------|-----------------|----------------|----------------|
|                           | Departure from normal |                 |                |                |
|                           | 1939<br>Degrees       | 1940<br>Degrees | 1939<br>Inches | 1940<br>Inches |
| Maine.....                | - 2                   | - 1             | T.             | 0.1            |
| New York I.....           | - 1                   | + 4             | 0.3            | T.             |
| New York II.....          | + 3                   | + 7             | T.             | 1.4            |
| New York III.....         | + 3                   | + 7             | 0.8            | 1.1            |
| New York IV.....          | + 4                   | + 7             | 1.2            | 0.6            |
| Middle-Atlantic I.....    | + 6                   | + 6             | 0.6            | T.             |
| Middle-Atlantic II.....   | + 7                   | + 7             | 0.4            | T.             |
| Middle-Atlantic III.....  | + 7                   | + 4             | 0.6            | 0.6            |
| Ohio.....                 | + 5                   | + 10            | 1.4            | 1.2            |
| Indiana.....              | + 3                   | + 10            | 2.3            | 1.1            |
| Illinois.....             | - 1                   | + 9             | 1.5            | 0.1            |
| Michigan.....             | + 2                   | + 8             | 3.1            | 0.2            |
| Wisconsin I.....          | 0                     | + 6             | 0.9            | 0.2            |
| Wisconsin II.....         | + 1                   | + 5             | 1.4            | 0.9            |
| Wisconsin III.....        | + 1                   | + 2             | 2.8            | 1.8            |
| Wisconsin IV.....         | 0                     | + 4             | 1.7            | 1.9            |
| Wisconsin V.....          | - 1                   | + 4             | 0.8            | 2.1            |
| Minnesota.....            | - 2                   | 0               | 1.2            | 2.6            |
| Iowa.....                 | + 1                   | + 5             | 1.9            | 0.4            |
| Nebraska.....             | 0                     | + 1             | 1.1            | 1.0            |
| Colorado.....             | + 2                   | - 3             | T.             | 0.2            |
| Utah I.....               | - 1                   | - 2             | T.             | 1.0            |
| Utah II.....              | - 1                   | - 2             | 0.1            | 1.0            |
| Utah III.....             | - 1                   | - 2             | 0.2            | 0.6            |
| Wyoming.....              | - 3                   | - 3             | 0.8            | 0.2            |
| Montana.....              | - 5                   | - 3             | 2.0            | 1.3            |
| Washington-Oregon I.....  | - 1                   | + 2             | 0.4            | 0.1            |
| Washington-Oregon II..... | + 1                   | + 1             | 0.8            | 0.2            |
| Puget Sound.....          | + 3                   | + 5             | 0.4            | 0.2            |

#### Pea Acreage Planted for Canning

The following table shows the acreage of peas planted for canning in each of the principal pea packing States. The figures for 1940 are preliminary and subject to slight revision as a few of the canners' acreages were included as estimates. It will be noted that acreages for 1940 are shown for Alaskas, Early Sweets and Late Sweets separately. For this group of States, the acreage planted in 1940 represents an increase over 1939 of 28.3 per cent for Alaskas and 24.3 per cent for Sweets.

Beginning next week, the Association's Division of Statistics will compile a table showing, in addition to planted acreage figures, yield figures for 1939 and estimates of yields for 1940. The problem of comparing yields is difficult and frequently is misleading. Yields may vary as much as 100 or 150 per cent within a reporting district, depending upon the stage of maturity at which the peas are harvested. Consequently, in order to make the yields comparable for both

years, the Division is asking the pea crop reporters to submit yield figures for their 1939 acreage, together with their estimates of 1940 yields.

| State                        | PLANTED ACREAGE |              |               |              |                   |                    |
|------------------------------|-----------------|--------------|---------------|--------------|-------------------|--------------------|
|                              | 1939            |              | 1940          |              | Late Sweets Acres | Early Sweets Acres |
|                              | Alaskas Acres   | Sweets Acres | Alaskas Acres | Sweets Acres |                   |                    |
| Maine.....                   |                 | 1,500        |               |              | 450               | 1,861              |
| New York.....                | 2,705           | 21,169       | 3,524         | 12,781       | 13,587            |                    |
| Maryland.....                | 14,300          | 1,700        | 16,137        | 710          | 479               |                    |
| Delaware and New Jersey..... | 1,800           | 400          | 2,738         | 60           |                   |                    |
| Pennsylvania.....            | 3,660           | 2,500        | 2,721         | 1,110        | 1,215             |                    |
| Ohio.....                    | 3,250           | 1,080        | 3,609         | 100          | 1,307             |                    |
| Indiana.....                 | 5,161           | 630          | 7,372         | 100          | 525               |                    |
| Illinois.....                | 5,500           | 9,500        | 6,274         | 2,162        | 6,882             |                    |
| Michigan.....                | 2,600           | 3,500        | 3,572         | 300          | 3,302             |                    |
| Wisconsin.....               | 42,780          | 24,000       | 60,715        | 7,658        | 29,873            |                    |
| Minnesota.....               | 6,764           | 11,667       | 7,638         | 1,640        | 11,603            |                    |
| Utah and Idaho.....          | 200             | 11,450       | 120           | 3,147        | 10,485            |                    |
| Washington and Oregon.....   | 870             | 36,060       | 495           | 6,078        | 38,101            |                    |

#### CHERRY CROP CONDITION REPORT FOR WEEK ENDING JUNE 14

Condition of the cherry crop throughout the country, as reported from the various districts, have been compiled by the Association's Division of Statistics. These reports are for the week ending June 14.

**NEW YORK I**—Set of cherries in this district appears to be about the same as last year with the prospects for the crop about equal to that of last year.

**NEW YORK II**—No freeze damage. No indications of other damage to date. The set of bloom was about average and the set of cherries and indication for crop about the same as last year. Trees are in excellent condition. There is plenty of moisture in this section and cherries are developing large.

**NEW YORK III**—There has been plenty of rain in this section during the past week but there is no apparent damage to cherries. Growing conditions are good and cherries are developing fast.

**PENNSYLVANIA**—Both set of bloom and pollination are below normal in parts of Pennsylvania. There is a light set of cherries with prospects of about 70 per cent crop.

**MICHIGAN I**—Pollination appears to have been good. Too early to tell accurately the effect of the June drop. No weather damage. General conditions very good.

**MICHIGAN II**—For the first time in 12 years there were no frosts in May or June in this district. Pollination appears to be favorable. Set of cherries was about as good as last year. Trees affected by shot-hole fungus last year, however, are not holding their fruit. The set on these trees, however, was somewhat larger than expected. It is too early to tell how many cherries will be left after the drop. A late report for this section revises earlier estimate of crop down 25 per cent for Peninsular Orchards.

**MICHIGAN III**—There has been plenty of rain and warm weather in this district during the week. As a result of quite an extensive survey of the orchards in this district, experienced cherry men report about 60 to 65 per cent as many cherries on the trees as of last year at this time.

**WISCONSIN**—Set of bloom in Door county is very satisfactory. Set of cherries is about normal. Damp rainy weather has been favorable for development of shot-hole fungus. No estimate of damage can be made at this time.

**MONTANA**—Set of cherries has been good in this section in spite of late frost damage. Present indications are for about 70 per cent normal crop compared with last year's crop of about 50 per cent normal.

### Trade Practice Rules for Ripe Olive Industry

Trade practice rules for the ripe olive industry were promulgated June 14 by the Federal Trade Commission under the usual trade practice conference procedure. The rules relate to the sale and distribution of ripe olives, and are designed to eliminate unfair trade practices.

Both "Group I" and "Group II" rules were promulgated, as is customary. The Group I rules have the full effect of law, and will be enforced by the Commission. Group II rules are "considered to be conducive to sound business methods" and are to be promoted through voluntary cooperation. Rules in this group for the olive industry concern repudiation of contracts and fake or fictitious bids.

Most of the Group I rules deal with unfair and unlawful commercial practices, such as discriminatory prices or rebates, defamation of competitors, and substitution of products. The first five rules embrace a definition of "unfit" olives, misrepresentation, and deceptive depictions and concealment. These five rules are reproduced below:

#### RULE 1—Definition:

For the purpose of these rules and in their application the following definition shall apply:

**Olives Unfit for Canning or Packing:** Olives shall be deemed unfit for canning or packing which are unclean, immature, moldy, overripe, infested with fungus, rot, or other defects, or which are in any manner unwholesome.

#### RULE 2—Olives Unfit for Canning or Packing:

It is an unfair trade practice to sell, offer for sale, advertise, describe, or otherwise represent, directly or indirectly, olives of unfit quality for canning or packing as described in Rule 1, Definition, as and for olives of canning or packing quality.

#### RULE 3—Misrepresentation of Industry Products:

The practice of selling, advertising, describing, or otherwise representing, ripe olives, or ripe olive products, in a manner which is calculated to mislead or deceive, or has the capacity and tendency or effect of misleading or deceiving, the purchasing or consuming public with respect to the character, nature, content, brand, grade, variety, quality, quantity, origin, substance, material, size, preparation, packing, distribution, or manufacture of such products, or in any other material respect, is an unfair trade practice.

#### RULE 4—Deceptive Depictions:

It is an unfair trade practice to use in relation to industry products any photograph, cut, engraving, insignia, vignette, design, illustration, or pictorial or other depiction or device (in catalogs, sales literature, advertisements, or other representations) which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public respecting the character, nature, content, brand, grade, variety, quality, quantity, origin, substance, material, size, preparation, packing, distribution, or manufacture of any such products of the industry; or which is false, misleading, or deceptive in any other respect.

#### RULE 5—Deceptive Concealment:

In the interest of protecting purchasers and preserving fair competition in the industry, full and nondeceptive disclosure should be made by members of the industry in their advertising, sales literature, and other selling representations of the quality, quantity, and size of the olives packed in cans or other opaque containers and offered for sale. Concealment of such information or the nondisclosure thereof, where practiced by the seller with the capacity and tendency or effect of thereby misleading or deceiving the purchasing or consuming public, is an unfair trade practice.

### Fruits and Vegetables in Cold Storage

Total stocks of all frozen fruits in cold storage on June 1 showed a net increase during May of 5,795,000 pounds, according to the Agricultural Marketing Service. The stocks totaled 81,864,000 pounds, and were 1,826,000 less than stocks on June 1, 1939.

The net increase during May of frozen vegetable stocks was 2,802,000 pounds. For the corresponding period a year ago, an increase of 150,000 pounds was indicated. June 1, 1940, holdings were 1,230,000 pounds less than those of June 1, 1939.

The following table, compiled by the Agricultural Marketing Service, shows stocks of frozen fruits and vegetables in cold storage on June 1, 1940, as compared with previous dates.

|                                  | June 1,<br>1939 | May 1,<br>1940 | June 1,<br>1940 |
|----------------------------------|-----------------|----------------|-----------------|
|                                  | 1000<br>pounds  | 1000<br>pounds | 1000<br>pounds  |
| <b>FROZEN FRUITS</b>             |                 |                |                 |
| Blackberries.....                | 1,112           | 2,597          | 2,574           |
| Blueberries.....                 | 3,987           | 3,709          | 2,938           |
| Cherries.....                    | 9,093           | 13,345         | 10,587          |
| Logan and similar berries.....   | 1,814           | 1,286          | 1,023           |
| Raspberries.....                 | 4,523           | 5,445          | 4,215           |
| Strawberries.....                | 32,721          | 20,074         | 27,304          |
| Other fruits.....                | 12,306          | 14,838         | 14,469          |
| Classification not reported..... | 18,134          | 14,115         | 18,754          |
| Total.....                       | 83,600          | 76,009         | 81,864          |
| <b>FROZEN VEGETABLES</b>         |                 |                |                 |
| Asparagus.....                   | 6,089           | 5,596          | 6,778           |
| Beans, lima.....                 | 8,911           | 10,179         | 9,165           |
| Beans, snap.....                 | 4,449           | 4,174          | 3,902           |
| Broccoli, green.....             | 1,007           | 1,362          | 1,225           |
| Corn, sweet.....                 | 4,781           | 5,344          | 4,904           |
| Peas, green.....                 | 14,463          | 12,304         | 11,045          |
| Spinach.....                     | 2,103           | 4,646          | 4,102           |
| Other vegetables.....            | 2,020           | 2,621          | 2,835           |
| Classification not reported..... | 3,752           | 2,921          | 2,380           |
| Total.....                       | 47,575          | 49,147         | 46,345          |

### Stocks and Shipments of Green and Wax Beans

Total stocks of green and wax beans in canners' hands on June 1, 1940, amounted to 1,176,554 actual cases, according to figures compiled by the Association's Division of Statistics. Shipments during the present season total 8,893,780 cases. Shipments during May amounted to 517,162 cases as compared with 658,731 cases shipped during April.

The following table shows stocks and shipments of green and of wax beans by regions:

|                      | Stocks<br>June 1,<br>1940 | Shipments<br>May 1,<br>1940 | Shipments<br>July 1 to<br>June 1,<br>1939-40 |
|----------------------|---------------------------|-----------------------------|--|
|                      | Cases                     | Cases                       | Cases  |
| <b>GREEN BEANS</b>   |                           |                             |  |
| Northeast.....       | 135,606                   | 60,924                      | 897,090                                      |
| Middle Atlantic..... | 154,170                   | 101,962                     | 2,251,593                                    |
| Mid-West.....        | 222,432                   | 114,586                     | 1,607,954                                    |
| Western.....         | 287,295                   | 107,830                     | 1,731,729                                    |
| Southern.....        | 47,100                    | 36,759                      | 1,142,589                                    |
| Total green.....     | 846,603                   | 422,061                     | 7,630,965                                    |
| <b>WAX BEANS</b>     |                           |                             |  |
| Northeast.....       | 83,200                    | 29,235                      | 449,442                                      |
| Middle Atlantic..... | 32,637                    | 10,307                      | 191,902                                      |
| Mid-West.....        | 191,889                   | 51,000                      | 494,607                                      |
| Western.....         | 22,216                    | 4,550                       | 104,407                                      |
| Southern.....        | .....                     | .....                       | 22,537                                       |
| Total wax.....       | 329,951                   | 95,101                      | 1,262,915                                    |



### Fruit and Vegetable Market Competition

#### Carlot Shipments as Reported to the Agricultural Marketing Service by Common Carriers

Carlot shipments of major fresh fruits and vegetables competing directly with canned foods continue to run less this year than they were during the corresponding period in 1939. Domestic citrus shipments were considerably smaller during the week ending June 8, 1940, than during the corresponding week of 1939. Shipments of snap and lima beans, however, amounted to 171 carloads during the week ending June 8, 1940, as compared with 135 carloads during the week ending June 8, 1939.

The following table, compiled from statistics of the Agricultural Marketing Service, gives detailed comparisons of carlot shipments on certain dates of selected vegetables and fruits:

| VEGETABLES                        | Week ending— |              |              | Season total to— |              |
|-----------------------------------|--------------|--------------|--------------|------------------|--------------|
|                                   | June 8, 1939 | June 8, 1940 | June 1, 1940 | June 8, 1939     | June 8, 1940 |
| Beans, snap and lima.....         | 135          | 171          | 145          | 6,341            | 3,718        |
| Tomatoes.....                     | 1,720        | 1,600        | 1,560        | 14,886           | 7,111        |
| Green peas.....                   | 213          | 198          | 141          | 3,876            | 2,811        |
| Spinach.....                      | 2            | 0            | 2            | 6,119            | 5,556        |
| Others:                           |              |              |              |                  |              |
| Domestic, competing directly..... | 1,714        | 1,500        | 2,087        | 92,891           | 88,369       |
| Imports competing directly.....   |              |              | 1            |                  |              |
| Imports competing indirectly..... | 0            | 1            | 2            | 2,251            | 2,620        |
| FRUITS                            |              |              |              |                  |              |
| Citrus, domestic.....             | 4,246        | 2,974        | 2,689        | 140,684          | 115,655      |
| Imports.....                      | 3            | 10           | 8            | 77               | 107          |
| Others, domestic.....             | 1,042        | 700          | 739          | 27,585           | 21,823       |

### Stocks and Shipments of Canned Corn

Stocks of canned corn in canners' hands on June 1, 1940, were almost 4,500,000 cases less than stocks on June 1, 1939, according to figures compiled by the Association's Division of Statistics. Shipments during the present season have been almost 1,500,000 cases more than during last season.

The following table compares stocks and shipments on certain dates:

| Stocks:                              | Cases      |
|--------------------------------------|------------|
| June 1, 1940.....                    | 5,051,344  |
| May 1, 1940.....                     | 6,308,693  |
| June 1, 1939.....                    | 9,528,516  |
| Shipments:                           |            |
| During May, 1940.....                | 1,237,349  |
| During May, 1939.....                | 1,594,872  |
| August 1, 1939, to June 1, 1940..... | 17,563,385 |
| August 1, 1938, to June 1, 1939..... | 16,127,734 |

In the table below are shown stocks of canned corn in canners' hands on June 1, 1940, by variety and regions:

|                        | Eastern States |  | Western States |  |
|------------------------|----------------|--|----------------|--|
|                        | Cases          |  | Cases          |  |
| Cream style:           |                |  |                |  |
| Evergreen.....         | 376,996        |  | 375,079        |  |
| Narrow Grain.....      | 188,689        |  | 307,500        |  |
| Country Gentleman..... | 61,433         |  | 770,755        |  |
| Crosby.....            | 63,593         |  | 37,055         |  |
| Bantam Golden.....     | 734,800        |  | 1,108,745      |  |
| Whole kernel:          |                |  |                |  |
| Bantam Golden.....     | 184,214        |  | 642,931        |  |
| White.....             | 65,321         |  | 134,224        |  |
| Total.....             | 1,675,055      |  | 3,376,289      |  |

Stocks of corn on the cob on June 1 totalled 32,761 cases. Shipments during May amounted to 39,423 cases.

### Stocks and Shipments of Pitted Red Cherries

Shipments of No. 2 cans of pitted red cherries during the present season are 125,914 cases larger than during the preceding season, and shipments of No. 10's are 189,855 cases more, according to figures compiled by the Association's Division of Statistics.

Stocks of No. 2's in canners' hands on June 1, 1940, were over three times larger than on June 1, 1939, while stocks of No. 10's were about half as large.

The following table compares total stocks and shipments of No. 2's and 10's on various dates:

|                                 | 1938-39       |                | 1939-40       |                |
|---------------------------------|---------------|----------------|---------------|----------------|
|                                 | No. 2's Cases | No. 10's Cases | No. 2's Cases | No. 10's Cases |
| Stocks June 1.....              | 7,220         | 130,996        | 22,934        | 69,733         |
| Shipments for May.....          | 10,644        | 53,437         | 67,608        | 51,155         |
| Shipments July 1 to June 1..... | 869,840       | 851,706        | 1,995,754     | 1,041,561      |

The table below gives details of the stocks of pitted red cherries in canners' hands on June 1, 1940, and shipments for May:

|                                | 24/2's Cases | 6/10's Cases | Misc. Cases | Total Cases |
|--------------------------------|--------------|--------------|-------------|-------------|
| New York and Pennsylvania:     |              |              |             |             |
| Stocks: sold not shipped.....  | 1,951        | 4,378        | 15          | 6,344       |
| Stocks: unsold.....            | 1            | 2,667        | 307         | 2,975       |
| Stocks: total.....             | 1,952        | 7,045        | 322         | 9,319       |
| Shipments for May.....         | 4,365        | 3,125        | 1,339       | 8,829       |
| Michigan, Wisconsin, and Ohio: |              |              |             |             |
| Stocks: sold not shipped.....  | 2,914        | 6,876        | .....       | 9,790       |
| Stocks: unsold.....            | 15,702       | 13,447       | 688         | 29,837      |
| Stocks: total.....             | 18,616       | 20,323       | 688         | 39,627      |
| Shipments for May.....         | 57,702       | 22,276       | 1,153       | 81,131      |
| Western States:                |              |              |             |             |
| Stocks: sold not shipped.....  | 1,525        | 9,063        | 1,194       | 11,782      |
| Stocks: unsold.....            | 841          | 33,302       | 1,156       | 35,299      |
| Stocks: total.....             | 2,366        | 42,365       | 2,350       | 47,081      |
| Shipments for May.....         | 5,541        | 25,754       | 296         | 31,591      |
| Total United States:           |              |              |             |             |
| Stocks: sold not shipped.....  | 6,390        | 20,317       | 1,209       | 27,916      |
| Stocks: unsold.....            | 16,544       | 49,416       | 2,151       | 68,111      |
| Stocks: total.....             | 22,934       | 69,733       | 3,360       | 96,027      |
| Shipments for May.....         | 67,608       | 51,155       | 2,788       | 121,551     |

### Bill Reported to Extend Agricultural Adjustment Act to Lettuce and Melons

The Senate Committee on Agriculture has reported favorably a bill (S. 4007) to extend the marketing-quota provisions of the Agricultural Adjustment Act of 1938 to lettuce and melons produced in the States of California and Arizona. The measure proposes a voluntary program for the lettuce and melon industries of the two States and is so drafted that it constitutes enabling legislation. The marketing quotas authorized by the bill would not be imposed upon any melon or lettuce producing district unless favored in a referendum by two-thirds of the producers affected in each district.

### Technicians' School Held in Indiana

The annual school for training technicians for tomato products control is being held at Lafayette, Indiana. The school is sponsored by the Indiana Canners Association and instruction is under the supervision of Gertrude Speiden Kissell of the National Canners Association's Washington Research Laboratory, who is being assisted by scientists from other laboratories connected with the canning industry.

### Stocks and Shipments of Canned Tomatoes

Stocks of canned tomatoes in canners' hands on June 1, 1940, excluding California, were nearly 200,000 cases less than on June 1, 1939, according to figures compiled by the Association's Division of Statistics. Shipments during the present season, again excluding figures for California, amount to 718,378 cases more than during the preceding season. Shipments during May, 1940, were almost 200,000 cases larger than the shipments during May, 1939.

In the following table are shown total stocks and shipments on various dates. Figures for California stocks and shipments will be compiled and issued by the Canners League of California.

| Total stocks:               | Cases      |
|-----------------------------|------------|
| June 1, 1939.....           | 3,839,053  |
| June 1, 1940.....           | 3,672,139  |
| Shipments during May:       |            |
| 1939.....                   | 921,700    |
| 1940.....                   | 1,116,203  |
| Shipments July 1 to June 1: |            |
| 1938-39.....                | 16,921,140 |
| 1939-40.....                | 17,689,518 |

### Less Bacterial Wilt on Sweet Corn in 1940

In the sixth experimental forecast of the incidence of bacterial wilt on sweet corn, published in the April 1, 1940 issue of the *Plant Disease Reporter*, it is concluded that "commercially significant losses will not occur north of Maryland and central New Jersey," and "in Ohio and Indiana there seems to be no reason to expect commercially significant losses on sweet corn."

The report further states that "interest in bacterial wilt has shifted during the past few years almost entirely from sweet corn to field corn. The resistant Golden Cross Bantam so completely dominates the yellow sweet corn industry that susceptible yellow varieties are used only in northern New England where wilt has never been of commercial importance, in those regions where on the basis of the annual forecast it seems reasonably safe to plant, or within those areas around the large central markets where growers are willing to run some risk in the hope of getting a premium for early corn. . . . Moreover, while it is true that except for local irregularities, the experimental forecasts have proved to agree closely with the subsequent development of the disease, it should be remembered that they have been made for only 5 years, entirely too short a period for much confidence to be placed in them."

### New Report of New York Station Issued

The latest report of the New York Agricultural Experiment Station at Geneva, covering the fiscal year ended June 30, 1939, has recently been issued by that institution, and contains information on a number of subjects of interest to canners. Among the projects reported upon in this publication are the following: progress in developing a high-yielding, good canning variety of squash with a high starch and pectin content; measuring the intensity of a pea aphid infestation and correlating this with the amount of damage that may be expected with the object of standardizing the timing of insecticide applications; control of the striped cucumber beetle on cucurbits with a calcium arsenate-talc dust or

rotenone; resistance of Marcy raspberry to mosaic in the Hudson Valley; and comparison of various methods of time of applying fertilizers for cabbage.

The Raw Products Bureau will be glad to furnish members the data from this report on any of the specific points mentioned above, if requested.

### Louisiana Proposes Control of Shrimp Industry

A bill to regulate the shrimp industry of Louisiana and to impose license fees on shrimp canners, wholesalers, and retailers has been introduced in the State Legislature of Louisiana. The bill, House Bill 443, declares all shrimp in the waters of the State to be the property of the State, and provides the manner and extent of reduction to private ownership. Canners of shrimp in the State would be required to pay an annual license fee of \$25 for each factory; wholesalers would be required to pay a fee of \$100; and retailers and other persons engaged in buying and selling shrimp would be required to pay a fee of \$10, according to the provisions of the bill.

### "Fishery Industries of the United States, 1938"

The report of the Division of Fishery Industries of the Bureau of Fisheries, containing fishery statistics for the year 1937, has been published by the Division under the title "Fishery Industries in the United States, 1938". Copies are available from the Government Printing Office, Washington, D. C., at 35 cents each.

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